

**THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

DATE 11/9/23

DISTRICT JUDGE
Amos L. Mazzant, III

COURT REPORTER: Chris Bickham
COURTROOM DEPUTY: D.Jones for K. Conrad

Joseph Michael Phillips	
V.	4:22cr184
Collin Community College District, et al	

ATTORNEY FOR GOVERNMENT	ATTORNEY FOR DEFENDANT
Greg Gruebel, Joshua Bleisch, Kelley Bregenzer, and JT Morris, Katlyn Patton, Robert Schmidt	Charles Crawford, Richard Abernathy (individuals) Bob Davis (Board of Trustees)

On this day, came the parties by their attorneys and the following proceedings were held in Sherman, TX:

TIME:	MINUTES: Jury Trial – Day 4
8:32 am	Court in session. Atty Greg Gruebel continues direct examination of witness Dr. Michael Phillips.
8:39 am	Reference to Plf's Exhibits 135, 139, 136, 143, 140, 137, 138 141, 145, 144, 120
8:43 am	Cross examination of witness by Atty Charles Crawford.
8:45 am	Reference to Dft's Exhibit 10
8:49 am	Reference to Dft's Exhibit 21
8:51 am	Reference to Dft's Exhibit 52
8:53 am	Reference to Dft's Exhibit 11
9:04 am	Reference to Dft's Exhibit 17
9:07 am	Reference to Dft's Exhibit 3
9:08 am	Reference to Dft's Exhibit 54
9:10 am	Reference to Dft's Exhibit 37
9:11 am	Reference to Dft's Exhibit 19
9:16 am	Reference to Dft's Exhibit 13
9:24 am	Reference to Plf's Exhibit 128
9:43 am	Reference to Dft's Exhibit 20
9:49 am	Reference to Dft's Exhibit 41
9:50 am	Reference to Dft's Exhibit 42
9:51 am	Reference to Dft's Exhibit 36
9:54 am	Reference to Dft's Exhibit 43
9:55 am	Reference to Dft's Exhibit 26
9:58 am	Reference to Dft's Exhibit 27
10:01 am	Reference to Dft's Exhibit 30

10:13 am	Reference to Dft's Exhibit 44, 45
10:24 am	Cross examination of witness by Atty. Bob Davis.
10:31 am	Bench conference. Court advised parties of correction to Plf's trial time.
10:33 am	Re-direct of witness by Atty. Greg Gruebel.
10:52 am	Court polls jury for questions.
10:54 am	Jury excused for lunch. Court discusses jury questions with counsel, to be presented to witness when court reconvenes.
10:57 am	Court in recess until 2:30 p.m.
2:31 pm	Court in session. Court asks questions of the jury to witness.
2:35 pm	Witness excused. Plf's counsel, Joshua Bleisch, calls witness Betsy Friauf. Witness sworn. Direct examination of witness by Atty Joshua Bleisch.
2:51 pm	Cross examination of witness by Atty. Bob Davis.
3:01 pm	Cross examination of witness by Atty. Richard Abernathy.
3:08 pm	Reference to Dft's Exhibit 45
3:16 pm	Court polls jury for questions. No questions. Witness fully excused.
3:17 pm	Plaintiff rests. Bench conference.
3:26 pm	Defendant conditionally rests subject to ruling on Rule 1006 summary.
3:27 pm	Court instructs jury of remaining proceedings planned.
3:28 pm	Jury excused until Monday 10am.
3:29 pm	Counsel review exhibit issue.
3:30 pm	Plf's counsel advises court they cannot agree regarding exhibit issue. Discussion ensues. Court will allow exhibit as demonstrative only.
3:36 pm	Defendant rests based on court's ruling. Atty Charles Crawford re-urges Rule 50 motion. Denied.
3:38 pm	Discussion ensues regarding various motions presented, jury charge, verdict form.
3:44 pm	Court adjourned.
	Plaintiff Admitted Exhibits: Defendant Admitted Exhibits: Plaintiff time remaining: 1:56 Defendant time remaining: 4:01

DAVID O'TOOLE, CLERK

BY: Donna Jones
Courtroom Deputy Clerk